

The House Committee on Judiciary offers the following substitute to SB 153:

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 50-18-70 of the Official Code of Georgia Annotated, relating to inspection of public records, so as to make the records of educational facilities that employ campus policemen and that relate to such police duties, activities, and functions open to inspection in the same manner as other records of public agencies; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 50-18-70 of the Official Code of Georgia Annotated, relating to inspection of public records, is amended by striking subsection (a) and inserting in lieu thereof a new subsection (a) to read as follows:

"(a) As used in this article, the term 'public record' shall mean all documents, papers, letters, maps, books, tapes, photographs, computer based or generated information, or similar material prepared and maintained or received in the course of the operation of a public office or agency. 'Public record' shall also mean all law enforcement records received or maintained by an educational facility, as defined in Code Section 20-8-1, that, pursuant to Chapter 8 of Title 20, employs campus policemen, that relate to the investigation of criminal conduct and crimes as defined under Georgia law and which are not otherwise subject to protection from disclosure under this article. 'Public record' shall also mean such items received or maintained by a private person or entity on behalf of a public office or agency which are not otherwise subject to protection from disclosure; provided, however, this Code section shall be construed to disallow an agency's placing or causing such items to be placed in the hands of a private person or entity for the purpose of avoiding disclosure. Records received or maintained by a private person, firm, corporation, or other private entity in the performance of a service or function for or on behalf of an agency, a public agency, or a public office shall be subject to disclosure to the same extent that such records would be subject to disclosure if received or maintained by such agency, public agency, or public office. As used in this article, the term 'agency' or

1 'public agency' or 'public office' shall have the same meaning and application as provided
2 for in the definition of the term 'agency' in paragraph (1) of subsection (a) of Code Section
3 50-14-1 and shall additionally include any association, corporation, or other similar
4 organization which: (1) has a membership or ownership body composed primarily of
5 counties, municipal corporations, or school districts of this state or their officers or any
6 combination thereof; and (2) derives a substantial portion of its general operating budget
7 from payments from such political subdivisions."

8 **SECTION 2.**

9 This Act shall become effective upon its approval by the Governor or upon its becoming law
10 without such approval.

11 **SECTION 3.**

12 All laws and parts of laws in conflict with this Act are repealed.